UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)
        Plaintiff,)
)
vs.)
)
$91,200.00 U.S. CURRENCY,)
        Defendant.)

NO.   CV-11-468-JLQ

FINAL ORDER OF FORFEITURE

      Plaintiff, United States of America, alleged in a Verified Complaint for Forfeiture In Rem that the Defendant currency is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881. ECF No. 1.

      The court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

      The Defendant property being forfeited is described as follows:

      $91,200.00 U.S. Currency, seized by the Spokane County Sheriff's Department from various locations throughout a 2004 Pontiac Grand Prix, Minnesota License Plate: 607DKZ, seized from vehicle occupants Joshua R. Rodelius and Levi R. Romanowski, on or about July 15, 2011, on Interstate 90, at mile marker 252, near Fishtrap, Washington.

      On January 19, 2012, the Clerk's office issued the Warrant of Arrest In Rem, pursuant to the court's order of the same date. ECF No. 4.

      On January 25, 2012, the Warrant of Arrest In Rem was returned executed. ECF No. 6.

ORDER - 1

Notice of Civil Forfeiture Action was posted on the official government website, , www.forfeiture.gov, between January 28, and February 26, 2012, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, as evidenced by the Notice of Publication filed herein on April 10, 2012. ECF No. 24. At the latest, the claim period expired on March 28, 2012.

On or about January 26, 2012, Joshua R. Rodelius was served via certified mail and regular mail, with copies of the Notice of Complaint, Verified Complaint for Forfeiture In Rem, and Warrant of Arrest In Rem, as evidenced by the Certificate of Service of Notice by Mail filed herein. ECF No. 8. On February 3, 2012, Joshua Rodelius filed an Answer to the Complaint. ECF No. 11. On or about February 16, 2012, in compliance with the court's order dated February 15, 2012, (ECF No. 13) the United States re-served notice (to include a corrected Notice of Complaint, Verified Complaint for Forfeiture In Rem, Praecipe Attachment A, Warrant of Arrest In Rem, and the court's Order), via certified mail upon Joshua R. Rodelius's attorney, Bryan P. Whitaker. The second notice included clear instructions on how to file a claim, claim contents, and the court ordered claim deadline of March 28, 2012. ECF No. 15. On March 26, 2012, Joshua R. Rodelius filed his claim. ECF No. 21. On June 4, 2012, Joshua Rodelius filed pleading to withdraw his claim. ECF No. 29.

On or about January 26, 2012, Levi R. Romanowski was served via certified mail and regular mail, with copies of the Notice of Complaint, Verified Complaint for Forfeiture In Rem, and Warrant of Arrest In Rem, as evidenced by the Certificate of Service of Notice by Mail filed herein. ECF No. 9. On or about February 16, 2012, in compliance with the court's order dated February 15, 2012, (ECF No. 13) the United States re-served notice (to include a corrected Notice of Complaint, Verified Complaint for Forfeiture In Rem, Praecipe Attachment A, Warrant of Arrest In Rem, and the court's Order), via certified mail upon Levi Romanowski's attorney, J. Brendan Kidd. ECF No. 16. The second notice included clear instructions on how to file a claim, claim contents, and the court ordered claim deadline of

ORDER - 2

1 March 28, 2012. On March 9, 2012, Levi Romanowski filed his claim. ECF No. 18. On

2 March 21, 2012, Levi Romanowski filed an Answer to the Complaint. ECF No. 19. On June

3 12, 2012, the United States filed a stipulation to withdraw claim, signed by Levi Romanowski

4 and attorney J. Brendan Kidd. ECF No. 30.

5   On or about January 26, 2012, Fury Dodge, LLC, was served via certified mail with

6 copies of the Notice of Complaint, Verified Complaint for Forfeiture In Rem, and Warrant

7 of Arrest In Rem, as evidenced by the Certificate of Service of Notice by Mail filed herein.

8 ECF No. 7. On or about February 16, 2012, in compliance with the court's order dated

9 February 15, 2012, (ECF No. 13) the United States re-served notice (to include a corrected

10 Notice of Complaint, Verified Complaint for Forfeiture In Rem, Praecipe Attachment A,

11 Warrant of Arrest In Rem, and the court's Order), via certified mail upon Fury Dodge, LLC.

12 ECF No. 14. The second notice included clear instructions on how to file a claim, claim

13 contents, and the court ordered claim deadline of March 28, 2012. To date, no claim has been

14 received from Fury Dodge, LLC. On May 16, 2012, the United States filed a Notice of

15 Motion for Default which was served via certified mail, return receipt requested, upon Fury

16 Dodge, LLC. ECF No. 25. To date, no response has been received from Fury Dodge, LLC.

17 On June 14, 2012, the United States filed a Motion for Default as to Fury Dodge, LLC. ECF

18 No. 31. On June 14, 2012, the Clerk entered a default order as to Fury Dodge, LLC. ECF No.

19 33.

20   It appearing to the court that any and all potential claimant's interest in the

21 Defendant property has been resolved through the stipulations to withdraw claims

22 (Claimants Rodelius and Romanowski), and the entry of the Clerk's Order of

23 Default (Fury Dodge, LLC);

24   It also appearing to the court that no other timely claims have been made to

25 the Defendant property;

26   **IT IS THEREFORE ORDERED** that:

ORDER - 3

1   1. The United States' Motion for Forfeiture of Property (ECF No. 34) is **GRANTED**;

2   2. The Defendant property is hereby forfeited to the United States of America, and no

3 right, title, or interest shall exist in any other person;

4   3. The United States shall dispose of the forfeited Defendant property in accordance

5 with law.

6   The Clerk of the Court shall enter this Order, provide copies to counsel, and **CLOSE**

7 **THE FILE**.

8   DATED this 3rd day of July, 2012.

9   **s/ Justin L. Quackenbush**
     JUSTIN L. QUACKENBUSH
10   **SENIOR UNITED STATES DISTRICT JUDGE**

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

ORDER - 4